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| Examiner Daniel I. Walsh -<br>U.S. Patent and Trademark Office | 571-273-8300 | 571-272-2800 |

FROM: Kirk Dorius

PHONE: 602-382-6544

RE:

MESSAGE:

Attached is the Amendment and Reply to Office Action dated January 27, 2006 and Terminal Disclaimer for Serial No. 10/708,828

ORIGINAL DOCUMENT: Will not be sent

NUMBER OF PAGES (Including Cover):

CONFIRMATION NO.:

CLIENT MATTER NO.: 60655.9100

PLEASE RETURN TO: S.Bowman/16S02

PERSONAL FAX: No

REQUESTOR: Kirk Dorius

DIRECT LINE: 602-382-6544

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PAGE 1/19 \* RCVD AT 4/21/2006 6:54:18 PM [Eastern Daylight Time] \* SVR:USPTO-EFAXF-1/21 \* DNIS:2738300 \* CSID:602 382 6070 \* DURATION (mm-ss):05-34

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PTO/SB/21 (09-04)

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|   |                        |                          |
|---|------------------------|--------------------------|
| <b>TRANSMITTAL FORM</b><br><br>(to be used for all correspondence after initial filing) | Application Number     | 10/708,828               |
|   | Filing Date            | March 28, 2004           |
|   | First Named Inventor   | David S. Bonalle, et al. |
|   | Art Unit               | 2876                     |
|   | Examiner Name          | Daniel L. Walsh          |
| Total Number of Pages in This Submission  | Attorney Docket Number | 60655.9100               |

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| ENCLOSURES (Check all that apply)   |   |  |
|---|---|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input checked="" type="checkbox"/> Amendment/Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Reply to Missing Parts/Incomplete Application<br><input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation<br><input type="checkbox"/> Change of Correspondence Address<br><input checked="" type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____<br><input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input type="checkbox"/> Other Enclosure(s) (please identify below): |
| Remarks   |   |  |

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

|              |   |          |        |
|--------------|---|----------|--------|
| Firm Name    | SNELL & WILMER LLP, 400 East Van Buren, Phoenix, Arizona 85004-2202 |          |        |
| Signature    | <i>Kirk Dorius</i>  |          |        |
| Printed name | Kirk Dorius   |          |        |
| Date         | April 21, 2006  | Reg. No. | 54,073 |

## CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

|                       |                      |      |                |
|-----------------------|----------------------|------|----------------|
| Signature             | <i>Sheila Bowman</i> |      |                |
| Typed or printed name | Sheila Bowman        | Date | April 21, 2006 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

**FEE TRANSMITTAL**  
**For FY 2006**☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$) 430.00**Complete If Known**

|                      |                          |
|----------------------|--------------------------|
| Application Number   | 10/708,828               |
| Filing Date          | March 26, 2004           |
| First Named Inventor | David S. Bonalle, et al. |
| Examiner Name        | Daniel I. Walsh          |
| Art Unit             | 2876                     |
| Attorney Docket No.  | 60655.9100               |

**METHOD OF PAYMENT** (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_

☒ Deposit Account Deposit Account Number: 19-2814 Deposit Account Name: Snell & Wilmer LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

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**FEE CALCULATION** (All the fees below are due upon filing or may be subject to a surcharge.)**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

| Application Type | FILING FEES |                       | SEARCH FEES |                       | EXAMINATION FEES |                       | Fees Paid (\$) |
|------------------|-------------|-----------------------|-------------|-----------------------|------------------|-----------------------|----------------|
|                  | Fee (\$)    | Small Entity Fee (\$) | Fee (\$)    | Small Entity Fee (\$) | Fee (\$)         | Small Entity Fee (\$) |                |
| Utility          | 300         | 150                   | 500         | 250                   | 200              | 100                   |                |
| Design           | 200         | 100                   | 100         | 50                    | 130              | 65                    |                |
| Plant            | 200         | 100                   | 300         | 150                   | 160              | 80                    |                |
| Reissue          | 300         | 150                   | 500         | 250                   | 600              | 300                   |                |
| Provisional      | 200         | 100                   | 0           | 0                     | 0                | 0                     |                |

**2. EXCESS CLAIM FEES****Fee Description**

Each claim over 20 (including Reissues)

Each independent claim over 3 (including Reissues)

Multiple dependent claims

| Total Claims | Extra Claims   | Fee (\$) | Fee Paid (\$) |
|--------------|----------------|----------|---------------|
| 46           | - 20 or HP = 6 | x 50 =   | \$300.00      |

HP = highest number of total claims paid for, if greater than 20.

| Indep. Claims | Extra Claims  | Fee (\$) | Fee Paid (\$) |
|---------------|---------------|----------|---------------|
| 3             | - 3 or HP = 0 | x 0 =    | 0             |

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**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

| Total Sheets | Extra Sheets | Number of each additional 50 or fraction thereof | Fee (\$) | Fee Paid (\$) |
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| - 100 =      | / 50 =       | (round up to a whole number) x                   |          |               |

**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Terminal Disclaimer

**SUBMITTED BY**

|                   |                    |   |                          |
|-------------------|--------------------|---|--------------------------|
| Signature         | <u>Kirk Dorius</u> | Registration No. (Attorney/Agent) <u>54,073</u> | Telephone (602) 382-6544 |
| Name (Print/Type) | Kirk Dorius        | Date April 21, 2006                             |                          |

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